

F I L E D
Clerk
District Court

AUG - 4 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

EQUAL EMPLOYMENT OPPORTUNITY) CIVIL ACTION NO. 04-0028
COMMISSION,)

Plaintiff,

vs.

MICRO PACIFIC DEVELOPMENT, INC.) DECLARATION OF MICHAEL W.
d/b/a SAIPAN GRAND HOTEL,) DOTTS IN SUPPORT OF
) OPPOSITION TO MOTION
) TO QUASH

Defendant.

Date: August 25, 2005

Time: 8:30 a.m.

I, MICHAEL W. DOTTS, declare and state under penalty of perjury, as follows:

1. I am an attorney licensed to practice before this Court and I represent Micro Pacific Development, Inc. in this matter. The statements contained herein are based upon my personal knowledge.

2. I took the deposition of Vicente Torres. The statements I attribute to him in Defendant's Memorandum in Opposition to the Motion to Quash are based on my best recollection of what was said. No transcript is available yet of that deposition.

3. I took the deposition of Julieta Torres. The portion quoted in Defendant's Memorandum was taken from a partial transcript and based on my review of the tape. It is

ORIGINAL

1 accurate.

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3 4. I have located and spoken to witnesses, or other attorneys in my office have
4 spoken to witnesses and have given me their notes of the interviews, who will testify as to the
5 relation ship between Julieta Torres and Akira Ishikawa prior to her marriage to Vicente Torres,
6 and also to how she borrowed money from Mr. Ishikawa, as described in Defendant's
7 Memorandum. I believe that if I can obtain full financial records from the Torreses, I might be
8 able to corroborate some of the borrowing by Julieta from Ishikawa beyond what she has
9 admitted to. I believe that the financial information could lead to admissible evidence that
10 would make it highly doubtful that Julieta Torres was a victim of sexual harassment to the full
11 extent she now claims.
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15 5. The immigration related documents sought are requested because it is possible,
16 based on what I found submitted to the Department of Labor, that the documents will contain
17 perjurous statements. The immigration related documents are not being sought for the purpose
18 of harassing a claimant but for the legitimate purpose of obtaining evidence for use in
19 impeachment of a witness.
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22 6. I offered to enter into a protective order that would seal the records obtained. I
23 offered to have that portion of Vicente Torres' deposition sealed with regard to his finances. I
24 offered that the Defendant could not disclose any of the immigration information and financial
25 information absent a further order of the Court. My offers were rejected.
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1 I declare upon penalty of perjury that the foregoing is true and correct to the best of my
2 knowledge and belief, and that if called upon to testify, I could and would testify competently
3 and in accordance herewith.
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5 Dated: August 4, 2005.
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10 MICHAEL W. DOTTS
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